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*Attorneys for Plaintiffs*

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

10 UNITED ASSOCIATION OF JOURNEYMAN  
11 AND APPRENTICES OF THE PLUMBING  
12 AND PIPE FITTING INDUSTRY,  
13 UNDERGROUND UTILITY/LANDSCAPE  
14 LOCAL UNION NO. 355; MIGUEL INIGUEZ  
15 and FELIPE HERNANDEZ, as LOCAL 355  
16 TRUSTEES; and ALEJANDRO TREJO,

Plaintiffs,

v.

16 MANIGLIA LANDSCAPE, INC., COHEN  
17 LANDSCAPE SERVICES, INC., LANDSCAPE  
18 CONTRACTORS COUNCIL OF NORTHERN  
19 CALIFORNIA, BARRY L. COHEN, LINDA G.  
20 ROSSMAN, OSCAR DE LA TORRE, DOYLE  
21 RADFORD, DAVID GORGAS, BRUCE RUST,  
22 FERNANDO ESTRADA, BYRON LONEY,  
23 ROBERT CHRISP, BILL KOPONEN, LARRY  
24 NIBBI AND MANUEL DE SANTIAGO, AS  
25 TRUSTEES OF THE LABORERS TRUST  
26 FUNDS FOR NORTHERN CALIFORNIA;  
27 NORTHERN CALIFORNIA DISTRICT  
28 COUNCIL OF LABORERS; AND DOES 1  
THROUGH 50,

Defendants.

Case No. 17-CV-3037-RS

**ORDER**  
**NOTICE OF STIPULATED**  
**DISMISSAL**

Honorable Richard Seeborg

1           **WHEREAS**, Plaintiffs United Association of Journeyman and Apprentices of The  
2 Plumbing and Pipe Fitting Industry, Underground Utility/Landscape Local Union No. 355,  
3 Miguel Iniguez and Felipe Hernandez, as Local 355 Trustees, and Alejandro Trejo (collectively,  
4 “Plaintiffs”) filed their Third Amended Complaint on November 30, 2018, against Defendants  
5 Maniglia Landscape, Inc.; Cohen Landscape Services, Inc.; Landscape Contractors Council of  
6 Northern California; Barry L. Cohen; Linda G. Rossman; the Northern California District  
7 Council of Laborers; and Oscar De La Torre, Doyle Radford, David Gorgas, Bruce Rust,  
8 Fernando Estrada, Byron Loney, Robert Chrisp, Bill Koponen, Larry Nibbi, and Manuel De  
9 Santiago, as Trustees of the Laborers Trust Funds for Northern California (collectively,  
10 “Defendants”). ECF No. 149.

11  
12           **WHEREAS**, with the assistance of Magistrate Judge Jacqueline Scott Corley over the  
13 course of two days at a mandatory settlement conference on August 27 and August 29, 2019, the  
14 parties agreed to a global settlement to resolve all claims at issue in this Action and the related  
15 action, *Rossman v. Iniguez*, Case No. 19-cv-00391 (N.D. Cal.).

16  
17           **WHEREAS**, Plaintiffs and Defendants by and through their counsel of record, hereby  
18 stipulate and agree as follows pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii):

19           1.       All claims asserted by Plaintiffs against all Defendants are dismissed with  
20 prejudice.

21           2.       Plaintiffs and Defendants shall each bear their own attorneys’ fees and costs.  
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23           **IT IS SO STIPULATED.**  
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25           /s/ Bryan Caforio  
26 Bryan Caforio (261265)  
27 Lora J. Krsulich (315399)  
28 Susman Godfrey L.L.P.

John J. Davis, Jr. (65594)

/s/ Concepción E. Lozano-Batista  
Antonio Ruiz (155659)  
Caren P. Sencer (233488)  
Concepción E. Lozano-Batista (227227)  
Weinberg, Roger & Rosenfeld

1 David L. Barber (294450)  
2 McCracken, Stemerman, Holsberry, L.L.P.

3 *Attorneys for Plaintiffs*

*Attorneys for Defendants Northern California  
District Council of Laborers, Oscar De La  
Torre, Doyle Radford, David Gorgas, Bruce  
Rust, Fernando Estrada, Byron Loney, Robert  
Chrisp, Bill Koponen, Larry Nibbi, Manuel de  
Santiago*

5 /s/ Michelle Q. Carter

6 Michelle Q. Carter (184005)  
7 Carter Carter Fries & Grunschlag

8 *Attorneys for Defendants Barry Cohen, Linda  
Rossman, Cohen Landscape Services, Inc.,  
9 Maniglia Landscape, Inc., Landscape  
10 Contractors Council of Northern California*


11 **FILER'S ATTESTATION**

12 I, Bryan Caforio, am the ECF user whose identification and password are being used to  
13 file this Joint Stipulation and [Proposed] Order. In compliance with Civil Local Rule 5-1(i)(3), I  
14 hereby attest that the signatories of this document have concurred in this filing.

15 /s/ Bryan Caforio

16  
17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18  
19 DATED: 10/1, 2019

20   
21 Honorable Richard Seeborg  
22 United States District Judge  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 1, 2019, I electronically filed the foregoing document with the clerk of the Court and served counsel of record via the CM/ECF system.

/s/ Bryan Caforio  
Bryan Caforio